

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

TROY D. GERMAN,)
)
Plaintiff,)
)
-vs-) Case No. CIV-19-751-F
)
)
BILLY D. "RUSTY" RHOADES,)
individually; MICHAEL)
HARRELL, individually;)
BRIAN ORR, individually;)
and MEGAN SIMPSON,)
Individually,)
)
Defendants.)

TRANSCRIPT OF AUDIO RECORDING OF
AN INTERVIEW WITH TROY GERMAN
TITLED "801_0168 GERMAN Z"
TRANSCRIBED ON JUNE 22, 2020

TRANSCRIBED BY KATE SCIPIONE, CSR, RPR

EXHIBIT

5

1 A. No. The patrol as a whole, yes. Change the
2 promotional process, assessment center, to have the
3 chief step down.

4 Q. Okay. So nothing -- but nothing that would
5 help any individual -- whether that be you, Brian,
6 anybody at all -- through the department?

7 A. No. I told him that his command staff was
8 tainted and that he needed to promote legit -- of
9 course, I was -- I'm ineligible -- but he needed to
10 promote legitimate leaders and not cheat, not -- not
11 your buddies. It has to be assessment center and all
12 that. But, no, not for me, not for Brian. Oh, my
13 gosh, not for Brian. Not for anybody.

14 Q. Okay. Did you -- did you ever give any
15 pieces of paper or any demands at all regarding
16 promoting you to major?

17 A. No. All I said was that the majors had to
18 be -- they were on this deal. I told him, I said,
19 "These things have got to happen. These are the
20 deadlines have got to happen," and that's when I slid
21 the piece of paper that had all the people that I was
22 going to contact on it, and I point blank told him
23 that he's going to have to make sure that the ones
24 that promoted -- that he's going to have to make --
25 the command staff was going to have to be a

1 legitimate command staff, and he needed to promote
2 majors to command staff.

3 Q. Okay. You said "demands." What -- what do
4 you mean by demand? Time frames? Tell me -- tell me
5 what you meant when you said slid across demands,
6 time lines. What -- what's -- what's that?

7 A. That -- well, before the -- before the
8 governor took over. In other words, I will -- if he
9 takes care of this and changes this that I would go
10 on down the road, and it doesn't get aired out.

11 Q. And so -- okay. So tell me -- okay. So you
12 say before the governor got elected. Before Stitt --
13 or at that point I guess you didn't know.

14 A. It was either Edmondson or Stitt. That's
15 correct.

16 Q. So the time line revolved around the
17 election.

18 A. That's correct.

19 Q. Okay. Revolved around the election. And
20 what -- so other than the names, what else -- what
21 else had revolved -- what else had to happen before
22 governors changed?

23 A. Promotional process changed. Legitimate
24 promotions, the legitimate promotions to major.
25 Legitimate promotions to lieutenant colonels.

1 Legitimate promotions all the way around. Captains,
2 lieutenants, whatever.

3 MR. PARISH: Just to clarify, when you say
4 legitimate promotions to major, for example --

5 MR. GERMAN: Tim Tipton. Are you talking
6 about names?

7 MR. PARISH: Well, yeah. Sure.

8 MR. GERMAN: Yeah. The names of them --
9 these are my -- I didn't tell Rhoades -- I didn't
10 tell the commissioner this, but we're talking about
11 people who have earned it, what I -- and, again, this
12 is subjective.

13 MR. PARISH: Sure, sure. Tip Tipton. Who
14 else?

15 MR. GERMAN: Ronnie Hampton. He's been on
16 the list before that I know of. Alan Henry has been
17 the list before. David -- Jason Holt's been on the
18 list before that have served their time and all that.

19 MR. PARISH: So would your request or your
20 requirement or your demand or what you wanted to see
21 different, would it have been to eliminate the majors
22 that are there and --

23 MR. GERMAN: No.

24 MR. PARISH: -- replace them? Just add to.

25 MR. GERMAN: Add to. They're going to be --

1 there's going to be attrition.

2 MR. PARISH: Okay. All right.

3 Q. (By Mr. Holt) You know, so was it by -- I
4 mean, were they just random dates? Was it the
5 election date? What...

6 A. I -- I think I gave him dates because of the
7 election. It was all hinged around the election.
8 Maybe even the -- yeah, I guarantee you it would
9 all -- it would all have hinged around the election.

10 Q. Okay.

11 A. Because that would have made the difference
12 to me on when I was going to go and who I was going
13 to go to.

14 Q. And so if he didn't have those things
15 changed or at least --

16 A. Effect positive change was always what I
17 said. Effect positive change.

18 Q. -- by then, then you said you were going to
19 go --

20 A. Further up. Whatever --

21 Q. Further up.

22 A. -- it needed to take. Senate, House, media,
23 whatever it took.

24 MR. PARISH: You told me that, Senate,
25 House, media. So he was -- he knew where you were